

NOTICE OF INTENT

CONSTRUCTION OF A NEW WATER TREATMENT PLANT

**ACTON WATER DISTRICT
ACTON, MA**

PREPARED BY:

Caron Environmental Consulting
PO Box 417
170 State Road East
Westminster, MA 01473

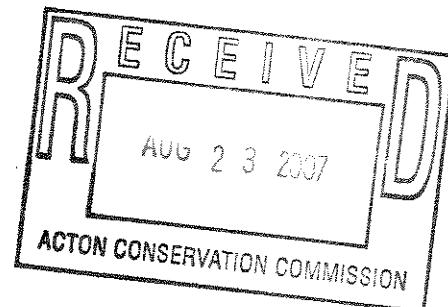
SUBMITTED TO:

Town of Acton Conservation Commission
Acton Town Hall
472 Main Street
Acton, MA 01720

SUBMITTED ON BEHALF OF:

Acton Water District
693 Massachusetts Avenue/PO Box 953
Acton, MA 01720

August, 2007



PROJECT NARRATIVE

Project Introduction and Overview

This Notice of Intent (NOI) is being filed by the Acton Water District in accordance with the Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40), and its implementing regulations (310 CMR 10.00) and the Acton Wetlands By-laws. This NOI is being filed for work adjacent to bordering vegetated wetlands, as shown on the project plans. Notification was sent to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, the Acton By-laws and the DEP Guide to Abutter Notification. The Certified Abutters' List and Notification to Abutters are attached.

It is proposed to construct a new water treatment plant on the site. This includes the installation of water lines and re-grading of a dirt road. Much of the work will occur within the 100-foot bordering vegetated wetland (BVW) buffer zone. According to the 12th Edition of the Natural Heritage Atlas and the most recent Estimated and Priority Habitat Datalayers (December 2006), the portion of the project on the west side of Main Street contains *Estimated Habitat for Rare Wildlife* and *Priority Habitat for Rare Species*.

Existing Conditions

The site is located along Main Street/Route 27 in Acton. Most of the area to be altered is an old borrow pit or otherwise disturbed areas. There are bordering vegetated wetlands on and around the site, as shown on the attached project plans. There are currently two wells on the site, the "Kennedy Well" and the "Marshall Well." The site contains dirt access roads to these wells.

The wetlands are forested and/or disturbed. The dominant species observed in the wetlands include Red Maple, Highbush Blueberry, European Buckthorn, Winterberry, Cinnamon Fern, various sedges, Feather Moss, and Skunk Cabbage. The soils in the wetlands typically have a 12 to 24-inch deep Oa-horizon. This is followed by a B-horizon to at least 24 inches deep. It is colored 10 YR 5/1 to 5/2 and is mottled.

The adjacent uplands are forested and/or disturbed. The dominant species in the uplands include Red Oak, White Oak, White Pine, Pitch Pine, Red Maple, Bracken Fern, Cinnamon Fern, Evergreen Wood Fern, and Feather Moss. The soils in the uplands are mostly disturbed. Where they are less disturbed they typically have a 4-inch deep Ap-horizon with a Munsell Soil Color of 10 YR 2/1. The underlying B-horizon extends to a depth of at least 24 inches. It has a color of 10 YR 3/3 and no mottles.

The entire site on the west side of Main Street contains *Estimated Habitat* (EH 771) and *Priority Habitat* (PH 29). These habitat areas indicate that the Blanding's Turtle (*Emydoidea blandingii*), a state-listed rare species, has been found in the vicinity of the site. There do not appear to be any Certified Vernal Pools on or adjacent to the site.

Project Impacts and Mitigation

The area of work is within previously disturbed areas. The majority of the work, including the construction of the water plant, will occur on the west side of the street, near the "Kennedy Well". A small portion of the work will occur on the east side of the street, near the "Marshall Well." About 1/3 of an acre of a partially disturbed forested area and a portion of an old borrow pit will be altered to build the new water plant. Approximately 13,850 square feet (0.32 acres) of the work will occur within the buffer zone of a bordering vegetated wetland. Most of that work involves the re-grading of a dirt road and/or installation of underground water lines. Those areas will be returned to their pre-construction conditions as gravel access roads. Only a corner of the proposed building (about 50 square feet of work) will occur in the BVW buffer zone. No wetlands will be altered by the project.

Approximately 0.93 acres of work will occur within *Estimated and Priority Habitat* for the Blanding's Turtle. According to the Natural Heritage & Endangered Species Program Fact Sheet, the major concern regarding Blanding's Turtle conservation is in limiting habitat loss &/or fragmentation in both wetlands and adjacent uplands. It is recommended that no wetland alterations occur within the mapped Habitat Areas on the site. Also, alteration of upland areas adjacent to the wetlands should be minimized as much as possible. As stated above, there are no wetlands alterations proposed with this project. Alteration of adjacent upland areas will be limited as much as possible, and much of the altered uplands will be restored to pre-construction conditions, as open gravel areas. Creation of roads near Blanding's Turtle habitat is also a major concern for their conservation because roads cause high mortality from automobile traffic. It is not proposed to construct any new high-traffic roads for this project. Approximately 300 feet of existing gravel road will be re-graded for access to the wells. Traffic on the gravel access roads will remain at about one to two vehicles per month, as it is now.

Prior to any work commencement erosion and sedimentation controls will be installed between the limits of work and adjacent wetland resource areas. We believe silt fence should be adequate to control sediment due to the lack of steep slopes near the areas of concern. This will also eliminate the chance of introducing exotic invasive species from use of hay bales. Erosion and sedimentation controls will be maintained until disturbed areas have been fully restored and stabilized.

**Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by DEP:

DEP File Number _____

Document Transaction Number _____

Acton _____

City/Town _____

Important:
When filling out
forms on the
computer, use
only the tab key
to move your
cursor - do not
use the return
key.



Note:
Before
completing this
form consult
your local
Conservation
Commission
regarding any
municipal bylaw
or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button for GIS locator):

960 & 941 Main Street / Route 27

a. Street Address

Acton

01720

c. Zip Code _____

Latitude and Longitude:

42° 24' 41" N

71° 24' 23" W

B-6

d. Latitude

e. Longitude

f. Assessors Map/Plat Number

1, 1-1, & 12-1

g. Parcel /Lot Number

2. Applicant:

c/o Christopher

Allen

Acton Water District

a. First Name

b. Last Name

c. Company

693 Massachusetts Avenue / PO Box 953

d. Mailing Address

MA

01720

e. City/Town

f. State

g. Zip Code

978-263-9107

h. Phone Number

i. Fax Number

j. Email address

3. Property owner (if different from applicant):

 Check if more than one owner

a. First Name

b. Last Name

c. Company

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Caron Environmental Consulting

a. Firm

Caron

b. Contact Person First Name

c. Contact Person Last Name

PO Box 417, 170 State Road East

d. Mailing Address

MA

01473

e. City/Town

f. State

g. Zip Code

(978) 874-5469

(978) 874-1790

caronenv@aol.com

h. Phone Number

i. Fax Number

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

Exempt

a. Total Fee Paid

Exempt

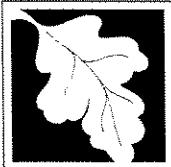
b. State Fee Paid

Exempt

c. City/Town Fee Paid

6. General Project Description:

Construction of a new water plant, installation of water lines, and all other associated activities.



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A. General Information (continued)

7. Project Type Checklist:

- | | |
|---|---|
| a. <input type="checkbox"/> Single Family Home | b. <input type="checkbox"/> Residential Subdivision |
| c. <input type="checkbox"/> Limited Project Driveway Crossing | d. <input checked="" type="checkbox"/> Commercial/Industrial |
| e. <input type="checkbox"/> Dock/Pier | f. <input type="checkbox"/> Utilities |
| g. <input type="checkbox"/> Coastal Engineering Structure | h. <input type="checkbox"/> Agriculture – cranberries, forestry |
| i. <input type="checkbox"/> Transportation | j. <input type="checkbox"/> Other |

8. Property recorded at the Registry of Deeds for:

Middlesex

a. County

997; 19375

c. Book

172; 3

b. Page Number

d. Certificate # (if registered land)

9. Has work been performed on the property under an Order of Resource Area Delineation involving Simplified Review within 3 years of the date of this application?

- a. Yes b. No

If yes, no Notice of Intent or Request for Determination of Applicability may be filed for work within the 50-foot-wide area in the Buffer Zone along the resource area during the three-year term of an Order of Resource Area Delineation, or any Extended Order, or until the applicant receives a Certificate of Compliance, whichever is later.

10. Buffer Zone Only - Is the project located only in the Buffer Zone of a bordering vegetated wetland, inland bank, or coastal resource area?

- a. Yes - answer 11 below, then skip to Section C.
b. No - skip to Section B.

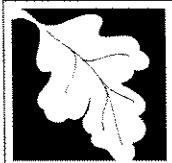
11. Buffer Zone Setback – For projects that involve work only in the buffer zone, select the applicable adjacent resource area (check one):

- a. BVW b. inland bank c. coastal resource area

The distance between the closest project disturbance and the associated resource area is:

7.5

d. linear feet



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B. Resource Area Effects

1. Inland Resource Areas

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your
document
transaction
number
(provided on
your receipt
page) with all
supplementary
information you
submit to the
Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet	2. square feet
d. <input type="checkbox"/> Bordering Land Subject to Flooding	3. cubic yards dredged 1. square feet	2. square feet
e. <input type="checkbox"/> Isolated Land Subject to Flooding	3. cubic feet of flood storage lost 1. square feet	4. cubic feet of flood storage replaced 2. cubic feet of flood storage lost
f. <input type="checkbox"/> Riverfront area	1. Name of Waterway (if available)	3. cubic feet of flood storage replaced

For projects impacted by the riverfront area and a buffer zone of another resource area, add 50% to the total fee.

1. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

2. Total area of Riverfront Area on the site of the proposed project:

Square Feet _____

3. Proposed alteration of the Riverfront Area:

a. Total Square Feet

b. Square Feet within 100 ft.

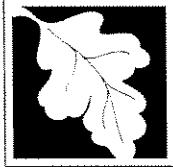
c. Square Feet between 100 ft. and 200 ft.

4. Has an alternatives analysis been done and is it attached to this NOI?

Yes No

5. Was the lot where the activity is proposed created prior to August 1, 1996?

Yes No



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Provided by DEP:

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Acton _____

City/Town _____

B. Resource Area Effects

2. Coastal Resource Areas:

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your
document
transaction
number
(provided on
your receipt
page) with all
supplementary
information you
submit to the
Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. Square feet _____ 2. Cubic yards dredged _____	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. Square feet _____ 2. Cubic yards beach nourishment _____	
e. <input type="checkbox"/> Coastal Dunes	1. Square feet _____ 2. Cubic yards dune nourishment _____	
f. <input type="checkbox"/> Coastal Banks	1. Linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. Square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. Square feet _____ 2. Sq ft restoration, rehab., or creation _____	
i. <input type="checkbox"/> Land Under Salt Ponds	1. Square feet _____ 2. Cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. Square feet _____ 2. Square feet restoration, rehab. _____	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. Cubic yards dredged _____ 1. Square feet _____	

3. Limited Project:

Is any portion of the proposed activity eligible to be treated as a limited project subject to 310 CMR 10.24 or 310 CMR 10.53?

a. Yes No If yes, describe which limited project applies to this project:

b. Limited Project _____



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

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City/Town _____

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Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

C. Bordering Vegetated Wetland Delineation Methodology

Check all methods used to delineate the Bordering Vegetated Wetland (BVW) boundary:

1. Final Order of Resource Area Delineation issued by Conservation Commission or DEP (attached)
 2. DEP BVW Field Data Form (attached)
 3. Final Determination of Applicability issued by Conservation Commission or DEP (attached)
 4. Other Methods for Determining the BVW Boundary (attach documentation):
 - a. 50% or more wetland indicator plants
 - b. Saturated/inundated conditions exist
 - c. Groundwater indicators
 - d. Direct observation
 - e. Hydric soil indicators
 - f. Credible evidence of conditions prior to disturbance
5. Other resource areas delineated: same as above

D. Other Applicable Standards and Requirements

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to <http://www.mass.gov/dfwele/dfw/nhesp/nhregmap.htm>.

- a. Yes No If yes, include proof of mailing or hand delivery of NOI to:

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife

Dec., 2006

Route 135, North Drive
Westborough, MA 01581

b. Date of map
If yes, the project is subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section D.1.A, and include requested materials with this Notice of Intent (NOI); OR complete Section D.1.B, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

A. Submit Supplemental Information for Endangered Species Review *

- Percentage/acreage of property to be altered:

(1) within wetland Resource Area

1%/0.93 ac

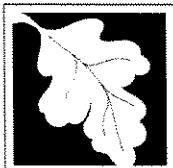
percentage/acreage

(2) outside Resource Area

<1%/0.0 (approx 25 SF)

percentage/acreage

- Assessor's Map or right-of-way plan of site



Massachusetts Department of Environmental Protection

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D. Other Applicable Standards and Requirements (cont.)

- Project plans for entire project site, including wetland Resource Areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **
- Project description (including description of impacts outside of wetland Resource Area & Buffer Zone)
- Photographs representative of the site
- MESA filing fee (fee information available at:
<http://www.mass.gov/dfwele/dfw/nhesp/nhenvmesa.htm>)
Make check payable to "Natural Heritage & Endangered Species Fund" and **mail to NHESP** at above address

Projects altering **10 or more acres** of land, also submit:

- Vegetation cover type map of site
- Project plans showing Priority & Estimated Habitat boundaries

B. OR Check One of the Following

- Project is exempt from MESA review. Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <http://www.mass.gov/dfwele/dfw/nhesp/nhenvxemptions.htm>)
- Separate MESA review ongoing.

NHESP Tracking Number

Date submitted to NHESP

- Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
- * Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see www.nhesp.org regulatory review tab). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.
- ** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.

2. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. Yes No If yes, include proof of mailing or hand delivery of NOI to either:

South Shore - Cohasset to Rhode Island, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
838 South Rodney French Blvd.
New Bedford, MA 02744

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930

- b. Not applicable – project is in inland resource area only



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by DEP:

DEP File Number _____

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Acton _____

City/Town _____

D. Other Applicable Standards and Requirements (cont.)

3. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or DEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
4. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
a. Yes No
5. Is any activity within any Resource Area or Buffer Zone exempt from performance standards of the wetlands regulations, 310 CMR 10.00.
a. Yes No If yes, describe which exemption applies to this project:
10.53 (3)(d)
b. Exemption
6. Is this project subject to the DEP Stormwater Policy? a. Yes No
If yes, stormwater management measures are required. Applicants should complete the Stormwater Management Form and submit it with this form.
b. If no, explain why the project is exempt:

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

E. Additional Information

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.
3. Other material identifying and explaining the determination of resource area boundaries shown on plans (e.g., a DEP BVW Field Data Form).
4. List the titles and dates for all plans and other materials submitted with this NOI.
5. If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.



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E. Additional Information (cont.)

8. Attach NOI Wetland Fee Transmittal Form
9. Attach Stormwater Management Form, if needed.

F. Fees

The fees for work proposed under each Notice of Intent must be calculated and submitted to the Conservation Commission and the Department (see Instructions and NOI Wetland Fee Transmittal Form).

No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

(Exempt) _____

1. Municipal Check Number _____

2. Check date _____

(Exempt) _____

3. State Check Number _____

4. Check date _____

5. Payor name on check: First Name _____

6. Payor name on check: Last Name _____

G. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

Signature of Applicant

August 20, 2007

Date

Signature of Property Owner (if different)

Date

Signature of Representative (if any)

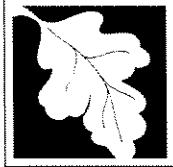
Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents; two copies of pages 1 and 2 of the NOI Wetland Fee Transmittal Form; and the city/town fee payment must be sent to the Conservation Commission by certified mail or hand delivery.

For DEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents; one copy of pages 1 and 2 of the NOI Wetland Fee Transmittal Form; and a copy of the state fee payment must be sent to the DEP Regional Office (see Instructions) by certified mail or hand delivery. (E-filers may submit these electronically.)



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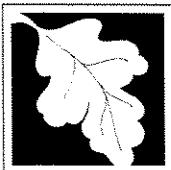
City/Town _____

G. Signatures and Submittal Requirements (cont.)

Other:

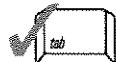
If the applicant has checked the “yes” box in any part of Section D, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Applicant:

c/o Christopher	Allen	Acton Water District
a. First Name	b. Last Name	c. Company
693 Massachusetts Avenue		
d. Mailing Address		
Acton	MA	01720
e. City/Town	f. State	g. Zip Code
978-263-9107		
h. Phone Number		

2. Property Owner (if different):

a. First Name	b. Last Name	c. Company
d. Mailing Address		
e. City/Town	f. State	g. Zip Code
h. Phone Number		

3. Project Location:

960 & 941 Main Street / Route 27	Acton
a. Street Address	b. City/Town

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

B. Fees

Notice of Intent (Form 3) or Abbreviated Notice of Intent (Form 4):

The fee should be calculated using the following six-step process and worksheet. Please see Instructions before filling out worksheet.

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

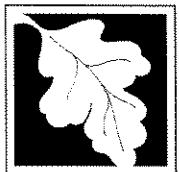
Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 5/Total Project Fee:

Step 6/Fee Payments:

Total Project Fee:

Exempt

a. Total fee from Step 5

State share of filing fee:

Exempt

b. 1/2 total fee less \$12.50

City/Town share of filling fee:

Exempt

c. 1/2 total fee plus \$12.50

C. Submittal Requirements

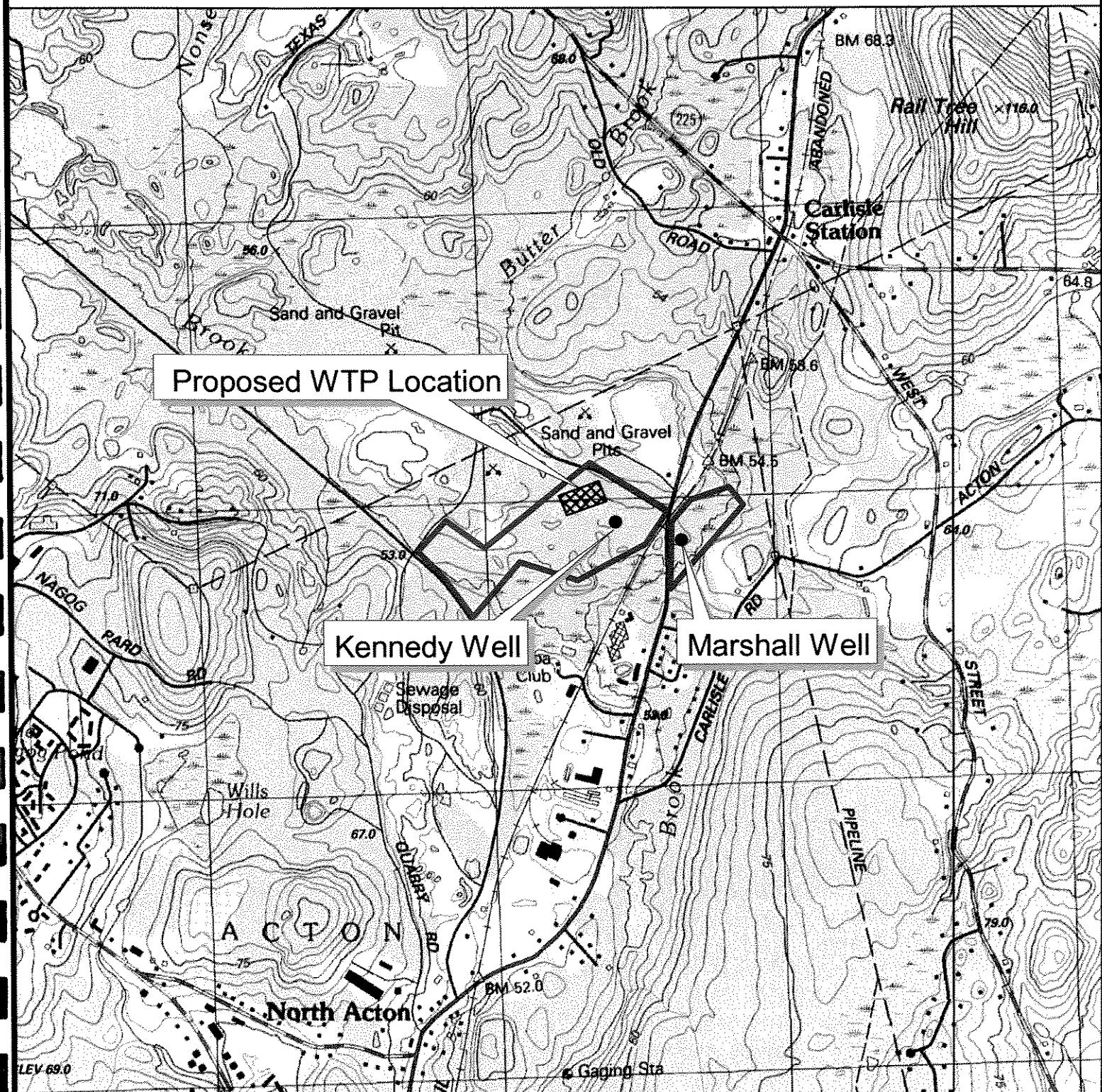
- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.
 - c.) **To DEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

LOCUS MAP

PROPOSED WATER TREATMENT PLANT LOCATION FOR ACTON WATER DISTRICT



0.5

0

0.5 Miles

SCALE: 1:24,000

N



National Wetland Inventory Map, Main St., Acton



Legend

CONUS_wet_scan

0

Out of range
Interstate
Major Roads

Other Road
Interstate
State Highway
US highway

Roads
Cities

USGS Quad Index 24K
Lower 48 Wetland Polygons

Estuarine and Marine Deepwater
Estuarine and Marine Wetland
Freshwater Emergent Wetland
Freshwater Forested/Strub Wetland

Freshwater Pond
Lake
Other
Riverine

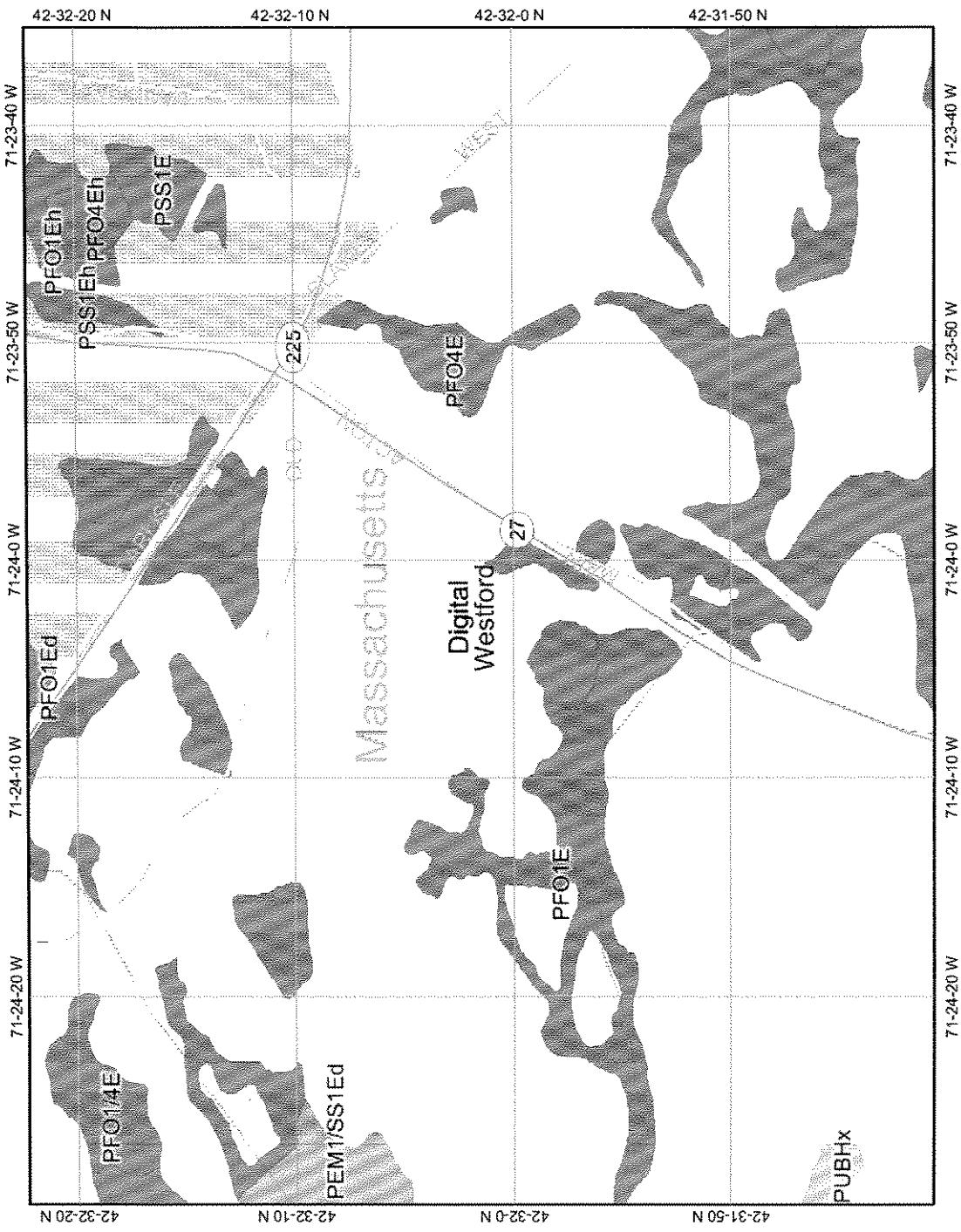
Lower 48 Available Wetland Data
Non-Digital
Digital

No Data
Scan
NHD Streams
Counties 100K

Urban Areas 300K
States 100K

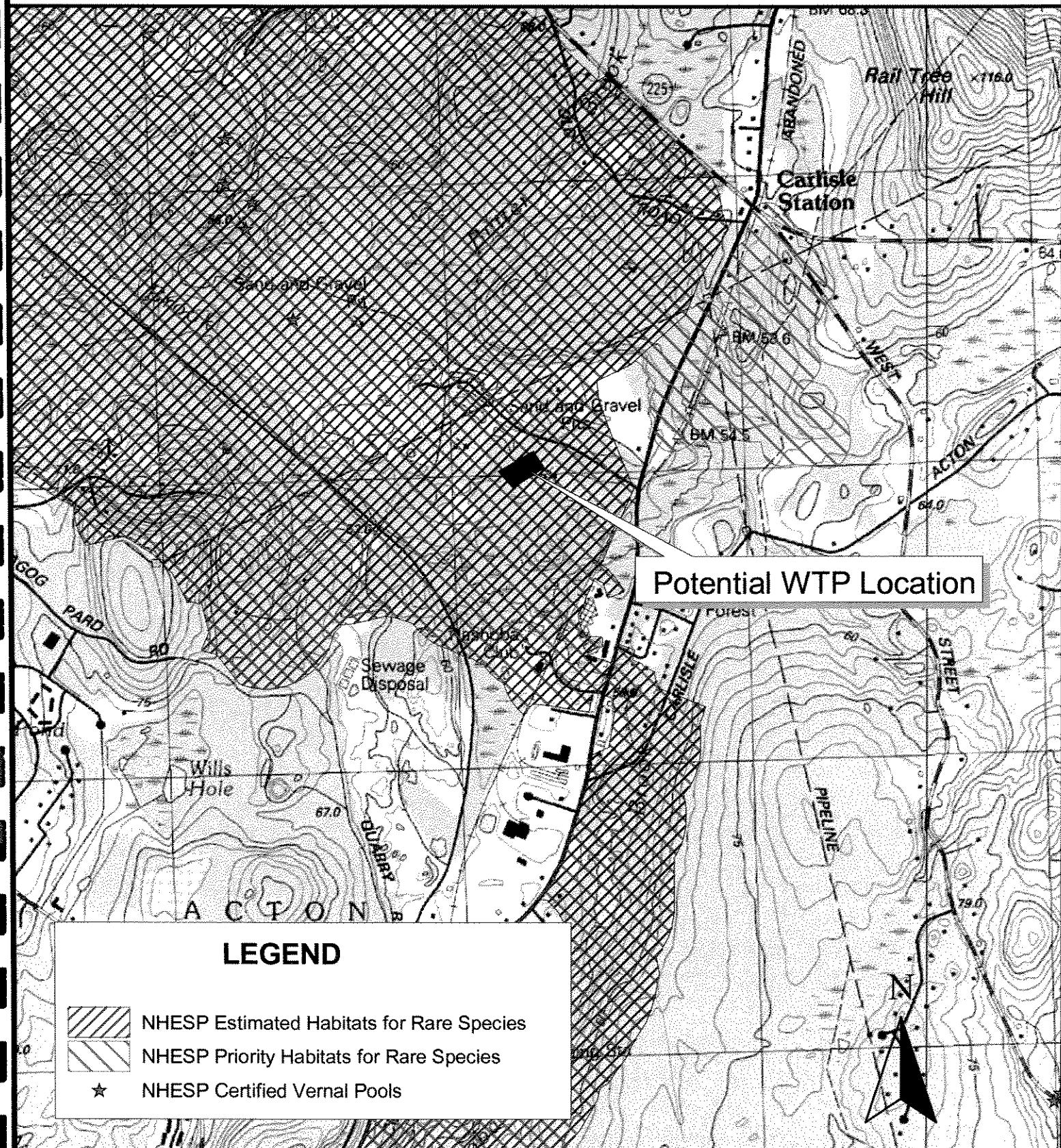
South America

Scale: 1:12,000



This map is a user generated static output from an internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

ESTIMATED HABITAT OF RARE WILDLIFE MAP POTENTIAL WATER TREATMENT PLANT LOCATION ACTON WATER DISTRICT



LEGEND

- [Diagonal hatching] NHESP Estimated Habitats for Rare Species
- [Cross-hatching] NHESP Priority Habitats for Rare Species
- ★ NHESP Certified Vernal Pools

0.5

0

0.5 Miles

SCALE: 1:24,000

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Acton Water District Prepared by: Caron Environmental Consulting Project location: Main St./Route 27, Acton DEP File #: _____

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
- Method other than dominance test used (attach additional information)

Section I. Vegetation		Observation Plot Number: 15U		Transect Number: 1-series		Date of Delineation: 4/23/07	
A. Sample Layer and Plant Species (by common/scientific name)	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*			
<u>Herbs & Seedlings</u>							
Feather moss (<i>Hypnum</i> spp.)	38	74	Yes				
Evergreen Wood Fern (<i>Dryopteris intermedia</i>)	10.5	20	Yes				
Princess Pine (<i>Lycopodium obscurum</i>)	3	6	No				
<u>Shrubs</u>							
Highbush Blueberry (<i>Vaccinium corymbosum</i>)	3	100	Yes				
<u>Saplings</u>							
Red Oak (<i>Quercus rubra</i>)	38	61	Yes				
White Pine (<i>Pinus strobus</i>)	10.5	17	No				
Red Maple (<i>Acer rubrum</i>)	10.5	17	No				
White Oak (<i>Quercus alba</i>)	3	5	No				
<u>Trees</u>							
White Pine (<i>Pinus strobus</i>)	7.58	70	Yes				
Red Pine (<i>Pinus resinosa</i>)	1.51	14	No				
Red Maple (<i>Acer rubrum</i>)	0.98	9	No				
White Oak (<i>Quercus alba</i>)	0.75	7	No				

* Use an asterisk to mark wetland indicator plants

Vegetation conclusion:

Number of dominant wetland indicator plants: 1 Number of dominant non-wetland indicator plants: 4
 Is the number of dominant wetland indicator plants equal to or greater than the number of dominant non-wetland indicator plants? Yes ✓ No ○

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.

MADEP, 3/95

Section II. Indicators of Hydrology Plot 15U

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site?

Title/date: Middlesex County, MA Interim Soil Survey Field

Sheets. 1988-1989

Map number: 24

Soil type mapped: Hinckley loamy sand, 3-8% slopes

Hydric soil inclusions:

Are field observations consistent with soil survey?

 Yes No

Remarks:

Other Indicators of Hydrology: (check all that apply and describe)

Site inundated:

 Depth to free water in observation hole: Depth to soil saturation in observation hole: Water marks: Drift lines: Sediment deposits: Drainage patterns in BVW: Oxidized rhizospheres: Water-stained leaves: Recorded data (stream, lake, or tidal gauge; Aerial photo; other): Other:

Vegetation and Hydrology Conclusion

No

Number of wetland indicator plants

>/= number of non-wetland indicator plants

Wetland hydrology present:

 Hydric soil present Other indicators of hydrology present present**Sample location is in a BVW**

Submit this form with the Request for Determination of Applicability or Notice of Intent.

Conclusion: Is soil hydric: Yes No

Other:

2. Soil Description	Horizon	Depth (inches)	Matrix Color	Mottles Color	
	Ap	0-2	10 YR 2/1	----	
	B ₁	2-8	10 YR 3/3	----	
	B ₂	8-24+	10 YR 2/1	----	

Remarks: Soil is disturbed, potentially fill material.

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Acton Water District Prepared by: Caron Environmental Consulting Project location: Main St./Route 27, Acton DEP File #: _____

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
- Method other than dominance test used (attach additional information)

Section I. Vegetation		Observation Plot Number: 15W		Transect Number: 1-series		Date of Delineation: 4/23/07
A. Sample Layer and Plant Species (by common/scientific name)	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*		
Herbs & Seedlings Feather moss (<i>Hypnum</i> spp)	10.5	100	Yes		(FacU)	
Shrubs European Buckthorn (<i>Rhamnus frangula</i>) Highbush Blueberry (<i>Vaccinium corymbosum</i>)	10.5 3	78 22	Yes Yes		*Fac *FacW-	
Trees Red Maple (<i>Acer rubrum</i>)	2.63	100	Yes		*Fac	

* Use an asterisk to mark wetland indicator plants

Vegetation conclusion:

Number of dominant wetland indicator plants: 3 Number of dominant non-wetland indicator plants: 1
Is the number of dominant wetland indicator plants equal to or greater than the number of dominant non-wetland indicator plants? Yes Yes No No

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.

MADEP: 3/95

Section II. Indicators of HydrologyPlot 15W

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site?

Title/date: Middlesex County, MA Interim Soil Survey Field

Sheets. 1988-1989

Map number: 24

Soil type mapped: Freetown muck

Hydric soil inclusions:

Are field observations consistent with soil survey?

Remarks:

2. Soil Description

Horizon Depth (inches)

Matrix Color

Mottles Color

Oa 0-24+ 10 YR 2/1 ----

>= number of non-wetland indicator plants

Wetland hydrology present:

Hydric soil present

Other indicators of hydrology

present

✓

Other:

Conclusion: Is soil hydric: Yes No

Submit this form with the Request for Determination of Applicability or Notice of Intent

Other Indicators of Hydrology: (check all that apply and describe)

- Site inundated: Depth to free water in observation hole: Depth to soil saturation in observation hole: Water marks: Drift lines: Sediment deposits: Drainage patterns in BVW: Oxidized rhizospheres: Water-stained leaves: Recorded data (stream, lake, or tidal gauge; Aerial photo; other): Other: wetland area recently expanded-- dead White Pines near edge of wetland.

Vegetation and Hydrology ConclusionNumber of wetland indicator plants >= number of non-wetland indicator plants Wetland hydrology present: Hydric soil present

Other indicators of hydrology

present **Sample location is in a BVW**

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Acton Water District Prepared by: Caron Environmental Consulting Project location: Main St./Route 27, Acton DEP File #: _____

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
- Method other than dominance test used (attach additional information)

Section I. Vegetation		Observation Plot Number: 121U	Transect Number: 100-series	Date of Delineation: 4/23/07
A. Sample Layer and Plant Species (by common/scientific name)	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
<u>Herbs & Seedlings</u>				
Unidentified grass	38	86	Yes	
White Pine (<i>Pinus strobus</i>)	3	7	No	
Haircap Moss (<i>Polytrichum juniperinum</i>)	3	7	No	
<u>Shrubs</u>				
Highbush Blueberry (<i>Vaccinium corymbosum</i>)	10.5	78	Yes	*FacW-
European Buckthorn (<i>Rhamnus frangula</i>)	3	22	Yes	*Fac
<u>Saplings</u>				
White Pine (<i>Pinus strobus</i>)	38	78	Yes	FacU
Red Oak (<i>Quercus rubra</i>)	10.5	22	Yes	FacU-
<u>Trees</u>				
White Pine (<i>Pinus strobus</i>)	9.01	100	Yes	FacU

* Use an asterisk to mark wetland indicator plants

Vegetation conclusion:

Number of dominant wetland indicator plants: 2 Number of dominant non-wetland indicator plants: 3
 Is the number of dominant wetland indicator plants equal to or greater than the number of dominant non-wetland indicator plants? Yes No

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.

MADEP, 3/95

Section II. Indicators of Hydrology

Plot 121U

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site?

Title/date: Middlesex County, MA Interim Soil Survey Field

Sheets. 1988-1989

Map number: 24

Soil type mapped: Hinckley loamy sand, 3-8% slopes

Hydric soil inclusions:

Are field observations consistent with soil survey?

Remarks:

Other:

Other Indicators of Hydrology: (check all that apply and describe)

Site inundated:

 Depth to free water in observation hole: Depth to soil saturation in observation hole: Water marks: Drift lines: Sediment deposits: Drainage patterns in BVW: Oxidized rhizospheres: Water-stained leaves: Recorded data (stream, lake, or tidal gauge; Aerial photo; other):

Vegetation and Hydrology Conclusion	
	Yes
Number of wetland indicator plants	<input checked="" type="checkbox"/>
>/= number of non-wetland indicator plants	<input type="checkbox"/>
Wetland hydrology present:	<input checked="" type="checkbox"/>
Hydric soil present	<input checked="" type="checkbox"/>
Other indicators of hydrology present	<input type="checkbox"/>

Sample location is in a BVW

Submit this form with the Request for Determination of Applicability or Notice of Intent.

Conclusion: Is soil hydric: Yes No

Other:

Remarks: Soil is disturbed, potentially fill material.

Horizon	Depth (inches)	Matrix Color	Mottles Color
A _p	0-2	10 YR 2/1	---
B ₁	2-8	10 YR 3/3	---
B ₂	8-24+	10 YR 2/1	---

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Acton Water District Prepared by: Caron Environmental Consulting Project location: Main St./Route 27, Acton DEP File #: _____

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
- Method other than dominance test used (attach additional information)

Section I. Vegetation		Observation Plot Number: 121W		Transect Number: 1-series		Date of Delineation: 4/23/07
A. Sample Layer and Plant Species (by common/scientific name)	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*		
<u>Herbs & Seedlings</u> Feather moss (<i>Hypnum</i> spp)	10.5	100	Yes	(FacU)		
<u>Shrubs</u> European Buckthorn (<i>Rhamnus frangula</i>) Highbush Blueberry (<i>Vaccinium corymbosum</i>)	10.5 3	78 22	Yes Yes	*Fac *FacW-		
<u>Trees</u> Red Maple (<i>Acer rubrum</i>)	2.63	100	Yes	*Fac		

* Use an asterisk to mark wetland indicator plants

Vegetation conclusion:

Number of dominant wetland indicator plants: 3 Number of dominant non-wetland indicator plants? 1
Is the number of dominant wetland indicator plants equal to or greater than the number of dominant non-wetland indicator plants? Yes Yes No

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.

Section II. Indicators of Hydrology**Plot 121W**

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site?

Title/date: Middlesex County, MA Interim Soil Survey Field Sheets. 1988-1989

Map number: 24

Soil type mapped: Freetown muck

Hydric soil inclusions:

Are field observations consistent with soil survey?

Remarks:

Other Indicators of Hydrology: (check all that apply and describe)

- Site inundated: Depth to free water in observation hole: Depth to soil saturation in observation hole:
- Water marks: Drift lines: Sediment deposits: Drainage patterns in BVW:
- Oxidized rhizospheres: Water-stained leaves: Recorded data (stream, lake, or tidal gauge; Aerial photo; other):
- Other: wetland area recently expanded-- dead White Pines near edge of wetland.

2. Soil Description

Horizon Depth (inches)

Matrix Color

Mottles Color

Oa 0-24+ 10 YR 2/1

Remarks:

No

Number of wetland indicator plants

>/= number of non-wetland indicator plants

Wetland hydrology present:

Hydric soil present

Other indicators of hydrology

present

Other:

Sample location is in a BVW

Submit this form with the Request for Determination of Applicability or Notice of Intent

Conclusion: Is soil hydric: Yes No

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Acton Water District Prepared by: Caron Environmental Consulting Project location: Main St./Route 27, Acton DEP File #: _____

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
- Method other than dominance test used (attach additional information)

Section I. Vegetation		Observation Plot Number: 446U	Transect Number: 400-series	Date of Delineation: 4/23/07
A. Sample Layer and Plant Species (by common/scientific name)	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
<u>Herbs & Seedlings</u> Evergreen Wood Fern (<i>Dryopteris intermedia</i>)	10.5	100	Yes	FacU
<u>Saplings</u> Red Oak (<i>Quercus rubra</i>)	10.5	54	Yes	FacU-
White Pine (<i>Pinus strobus</i>)	3	15	No	
Red Maple (<i>Acer rubrum</i>)	3	15	No	
Paper Birch (<i>Betula populifolia</i>)	3	15	No	
<u>Trees</u> White Pine (<i>Pinus strobus</i>)	7.96	87	Yes	FacU
Red Maple (<i>Acer rubrum</i>)	0.84	9	No	
Red Oak (<i>Quercus rubra</i>)	0.38	4	No	

* Use an asterisk to mark wetland indicator plants

Vegetation conclusion:

Number of dominant wetland indicator plants: 0 Number of dominant non-wetland indicator plants: 3
 Is the number of dominant wetland indicator plants equal to or greater than the number of dominant non-wetland indicator plants? Yes ○ No ○

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.

MA DEP, 3/95

Section II. Indicators of HydrologyPlot 446U

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site?

Title/date: Middlesex County, MA Interim Soil Survey Field

Sheets. 1988-1989

Map number: 24

Soil type mapped: Hinckley loamy sand, 3-8% slopes

Hydric soil inclusions:

Are field observations consistent with soil survey?

Yes No

Remarks:

Other Indicators of Hydrology: (check all that apply and describe)

Site inundated:

 Depth to free water in observation hole: Depth to soil saturation in observation hole: Water marks: Drift lines: Sediment deposits: Drainage patterns in BVW: Oxidized rhizospheres: Water-stained leaves: Recorded data (stream, lake, or tidal gauge; Aerial photo; other):

Other:

Vegetation and Hydrology Conclusion

No

Number of wetland indicator plants

Yes

>/= number of non-wetland indicator plants

Wetland hydrology present:

Hydric soil present

Other indicators of hydrology

present

present

Sample location is in a BVW

Submit this form with the Request for Determination of Applicability or Notice of Intent.

Conclusion: Is soil hydric: Yes No

Other:

Remarks: Soil is disturbed, potentially fill material. Contains many rocks and debris.

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Acton Water District Prepared by: Caron Environmental Consulting Project location: Main St./Route 27, Action DEP File #: _____

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
- Method other than dominance test used (attach additional information)

Section I. Vegetation		Observation Plot Number: 446W	Transect Number: 400-series	Date of Delineation: 4/23/07
A. Sample Layer and Plant Species (by common/scientific name)	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
Herbs & Seedlings				
Evergreen Wood Fern (<i>Dryopteris intermedia</i>)	3	100	Yes	FacU
Shrubs	10.5	100	Yes	*Fac
European Buckthorn (<i>Rhamnus frangula</i>)				
Trees				
Red Maple (<i>Acer rubrum</i>)	1.41	88	Yes	*Fac
White Pine (<i>Pinus strobus</i>)	0.20	12	No	

* Use an asterisk to mark wetland indicator plants

Vegetation conclusion:

Number of dominant wetland indicator plants: 2 Number of dominant non-wetland indicator plants? Yes

Is the number of dominant wetland indicator plants equal to or greater than the number of dominant non-wetland indicator plants? Yes No

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.

MA DEP, 3/95

Section II. Indicators of Hydrology

Plot 446W

Hydric Soil Interpretation

Other Indicators of Hydrology: (check all that apply and describe)

1. Soil Survey

Is there a published soil survey for this site?

Title/date: Middlesex County, MA Interim Soil Survey Field Sheets. 1988-1989

Map number: 24

Soil type mapped: Freetown muck

Hydric soil inclusions:

Are field observations consistent with soil survey?

Remarks:

Site inundated:

Depth to free water in observation hole:

Depth to soil saturation in observation hole:

Water marks:

Drift lines:

Sediment deposits:

Drainage patterns in BVW:

Oxidized rhizospheres:

Water-stained leaves:

Recorded data (stream, lake, or tidal gauge; Aerial photo; other):

 Other: wetland area recently expanded, dead White Pines near edge.

Vegetation and Hydrology Conclusion

Yes

No

Number of wetland indicator plants

>/= number of non-wetland indicator plants

Wetland hydrology present:

Hydric soil present

Other indicators of hydrology

present

Sample location is in a BVW

Submit this form with the Request for Determination of Applicability or Notice of Intent

Conclusion: Is soil hydric: Yes No
Remarks:
Other:

DELINEATION DATA PLOT PHOTOGRAPHS (Taken 4/23/2007)

Plot 15 W



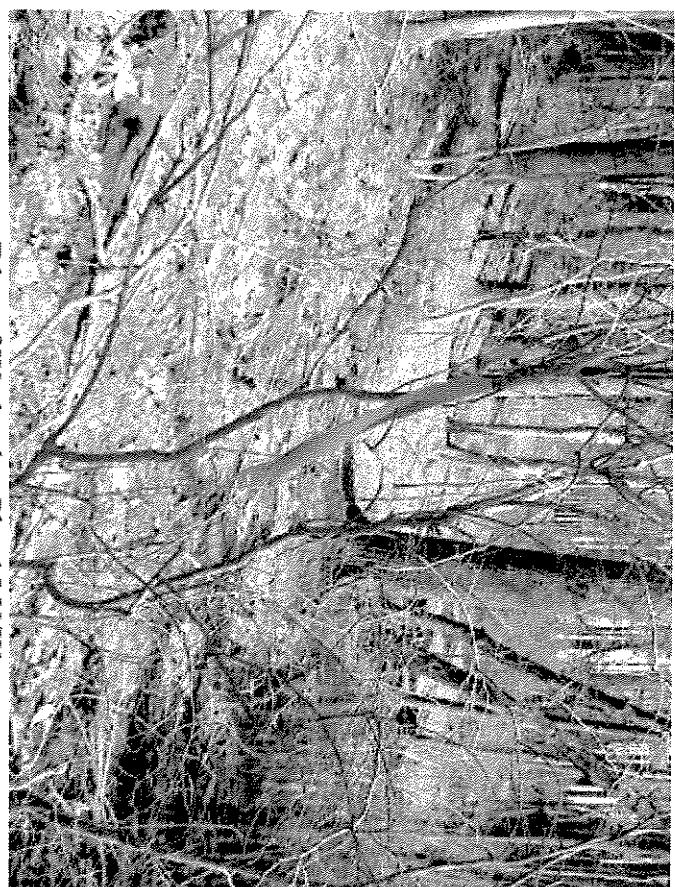
Plot 15 U



Plot 15 W



Edge of Wetland at Plot 15 U/W



DELINeATION DATA PLOT PHOTOGRAPHS (Taken 4/23/2007)

Plot 121 W



Plot 121 U



Edge of Wetland at Plot 121 U/W



Area above Plot 121 U/W



DELINEATION DATA PLOT PHOTOGRAPHS (Taken 4/23/2007)

Plot 446 W



Plot 446 U



Plot 446 W



Edge of Wetland at Plot 446 U/W



REPRESENTATIVE SITE PHOTOGRAPHS
ACTON WATER DISTRICT PROPERTY

Proposed Water Plant Location



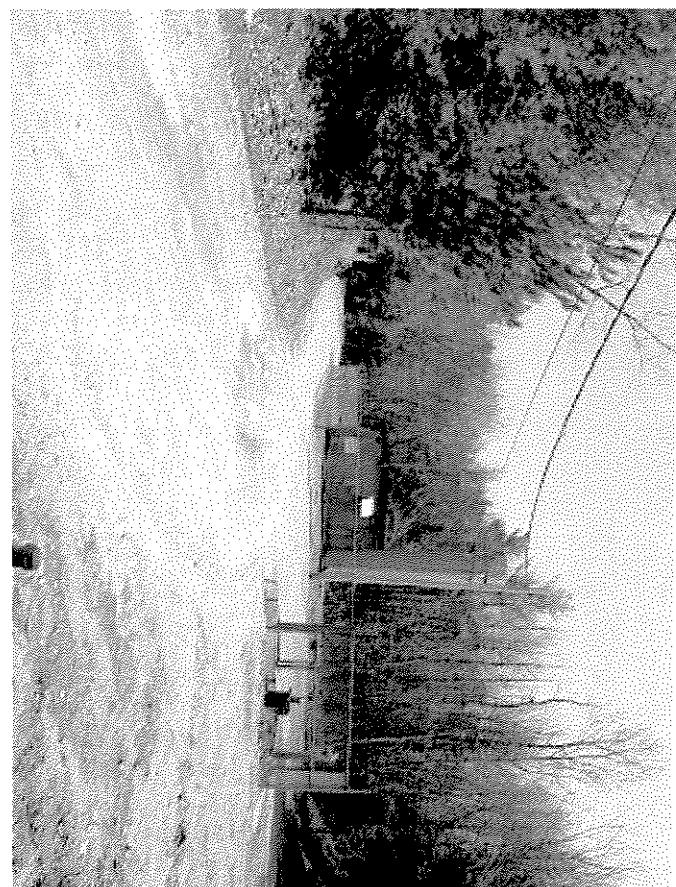
Marshall Well



Proposed Water Plant Location



Kennedy Well



**NOTIFICATION TO ABUTTERS
UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT
AND THE TOWN OF ACTON WETLANDS BYLAW**

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40 and the Town of Acton Bylaws, you are hereby notified of the following:

The Applicant: ACTON WATER DISTRICT

Address 693 Massachusetts Avenue/PO Box 953, Acton Phone (978) 263-9107

has filed a Notice of Intent with the Acton Conservation Commission seeking permission to remove, fill, dredge or alter an Area Subject to Protection under the Wetlands Protection Act.

Applicant's Representative: CARON ENVIRONMENTAL CONSULTING

Address: 170 STATE ROAD EAST / PO BOX 417 Phone (978) 874-5469
WESTMINSTER, MA 01473

The address of the property where the activity is proposed

960 & 941 MAIN STREET (ROUTE 27)

Town Atlas Plate/Map B6

Parcel/Lot 1, 1-1, & 12-1

Project Description Construction of a new water treatment plant within an Area Subject to Protection under the MA Wetlands Protection Act

Copies of the Notice of Intent may be examined at the Conservation Office, Acton Town Hall, 472 Main Street, Acton between the hours of 9:00 A.M. and 4:30 P.M. Monday through Friday. For more information please call the Conservation Office at 978-264-9631.

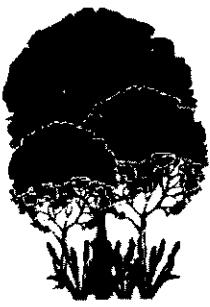
A Public Hearing will be held at the Acton Town Hall, 472 Main Street, on Wednesday,

September 5, 2007 at 8:00 P.M.
(date)

The notice of the public hearing will be published at least five (5) days in advance in the Acton edition of the *Beacon* newspaper or *Metrowest Daily News*.

NOTE: You may also contact your local conservation commission or the nearest Department of Environmental Protection Regional Office* for the information about this application or, the Wetlands Protection Act. Acton is in the Central Region. To contact DEP, call:

***DEP Central Region: 508-792-7650
627 Main Street, Worcester MA 01608**



Caron Environmental Consulting

978-874-5469

Wetlands • Forestry • Permitting • Habitat Studies

August 21, 2007

Natural Heritage & Endangered Species Program
1 North Drive
Westborough, MA 10581

Re: Water Treatment Plant
Acton Water District
Main Street (Route 27), Acton, MA
NHESP Tracking Number: 07-22245

Dear Sir or Madam:

We are writing to request a Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18) for work within *Estimated Habitat* (EH 771) and *Priority Habitat* (PH 29) on the above-referenced site, as indicated in the *Massachusetts Natural Heritage Atlas* (12th Edition).

The Acton Water District is filing a Notice of Intent (NOI; M.G.L. c. 131, §40) with the Acton Conservation Commission for work adjacent to bordering vegetated wetlands, as shown on the project plans. The NOI is being submitted for the construction of a new water treatment plant, which includes installation of water lines and re-grading of a dirt road, off of Main Street (Route 27) in Acton. The project will alter approximately 1 acre of land within *Priority & Estimated Habitat*, both of which overlap each other on the site. These habitat areas occur on the portion of the site on the eastern side of Main Street. All of the proposed work will occur within previously disturbed areas. Further details on the scope of the project can be seen in the "Project Narrative" attached to the NOI.

The species of concern on the site is the Blanding's Turtle (*Emydoidea blandingii*), a Massachusetts Threatened species. According to the NHESP website, the major concerns for this species are roadway mortality and habitat loss, fragmentation, and degradation. This project will only alter approximately 1/3 of an acre of forested or forest/field edge habitat, which the turtles may use for estivation. The only open sandy areas it will impact, which the turtles may use for nesting, are areas that have been previously regularly disturbed. Much of the impacted open sandy areas will remain open and sandy after work is completed. This project will not create any roads; it will only re-grade approximately 300 linear feet existing dirt road. The amount of traffic on this road will remain at its current level of about one or two vehicles per month.

August 21, 2007
Natural Heritage & Endangered Species Program
Re: Water Treatment Plant
Acton Water District
Main Street (Route 27), Acton, MA
NHESP Tracking Number: 07-22245

Page 2.

We have included the NOI, project plans, and all supporting documentation. We believe we have submitted all required documentation for a MESA review.

If you have any questions in regards to this matter, please feel free to contact us.

Very truly yours,

Caron Environmental Consulting

By: 

Erik W. Wintturi

Enc.



MESA PROJECT REVIEW CHECKLIST

Massachusetts Endangered Species Act M.G.L. c. 131A and Regulations (321 CMR 10.00)



Massachusetts Division of Fisheries & Wildlife
Natural Heritage & Endangered Species Program

~~~~~ CONTACT INFORMATION ~~~~

If you already completed your Notice of Intent-Form 3, you can send page 1 of the NOI in place of questions 1 through 4 in this section.



1. Project Location:

Street Address/Location	City/Town	Zip Code
-------------------------	-----------	----------

Assessor's Map/Plat Number	Parcel /Lot Number
----------------------------	--------------------

2. Applicant:

First Name	Last Name	Company
------------	-----------	---------

Mailing Address		
-----------------	--	--

City/Town	State	Zip Code
-----------	-------	----------

Phone Number	Fax Number	Email address
--------------	------------	---------------

3. Property owner (if different from applicant):

First Name	Last Name	Company
------------	-----------	---------

Mailing Address		
-----------------	--	--

City/Town	State	Zip Code
-----------	-------	----------

Phone Number	Fax Number	Email address
--------------	------------	---------------

4. Representative (if any):

Company		
---------	--	--

Contact Person First Name	Contact Person Last Name
---------------------------	--------------------------

Mailing Address		
-----------------	--	--

City/Town	State	Zip Code
-----------	-------	----------

Phone Number	Fax Number	Email address
--------------	------------	---------------

The MESA does not allow project segmentation. Your filing must reflect all anticipated work associated with the proposed project (CMR 321 10.16).

from top:
Golden Winged Warbler - E

Small whorled pogonia - E

Marbled Salamander - T

~~~~~ ADDITIONAL INFORMATION ~~~~

- Will this project require a filing with the Conservation Commission and/or DEP? No Yes
- Will this project meet any threshold for a MA Environmental Policy Act (MEPA) filing (excluding rare species, 301 CMR 11.03 (2))? No Yes
- Has this project previously been issued a NHESP Tracking Number (either by previous NOI Submittal or MESA Information Request Form)? No Yes - Tracking No. 07-22245



* For an electronic copy of this form, visit www.nhesp.org *

Certain projects or activities are exempt from review, see 321 CMR 10.14

~~~~~ PROJECT DESCRIPTION (attach separate sheet, as needed) ~~~~

[See attached letter to NHESP and Project Narrative]

We will notify the applicant within 30 days if the materials submitted do not satisfy requirements for a filing and request submission of any missing materials (321 CMR 10.18(1)).

~~~~~ INCLUDE THE FOLLOWING INFORMATION ~~~~

ALL Applicants must submit:

- USGS map(1:24,000 or 1:25,000) with property boundary clearly outlined
- Project plans for entire site (including wetland Resource Areas, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work)
- Assessor's map or right-of-way plan of site
- Project description
- Statement/proof that applicant is the Record Owner or that applicant is a person authorized in writing by the record owner to submit this filing
- Photographs representative of the site

Projects altering* 10 or more acres, must also submit:

- A vegetation cover type map of the site
- Project plans showing Priority Habitat boundaries

*Alteration: Any physical alteration of land, soils, drainage or destruction of plant life, see "Project or Activity" (321 CMR 10.02). If only a portion of the project site is located within Priority Habitat, indicate total area of disturbance for site as a whole

We may request additional information, such as, but not limited to, species and habitat surveys, wetland reports, soil map and reports, and stormwater management reports (321 CMR 10.16).

~~~~~ FILING FEES ~~~~

For fees, see [www.nhesp.org](http://www.nhesp.org)

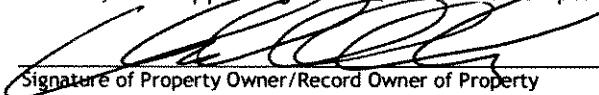
\$ 300.00  
a. Total MESA Fee Paid

0.93  
b. Acreage of Alteration\*

106  
c. Total Site Acreage

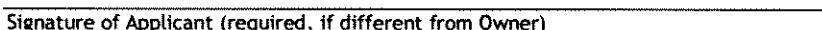
~~~~~ REQUIRED SIGNATURES ~~~~

I hereby certify under the penalties of perjury that the foregoing MESA filing and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.


Signature of Property Owner/Record Owner of Property

Date

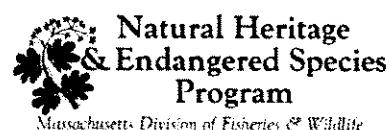
8/21/2007


Signature of Applicant (required, if different from Owner)

Date

Please send form, required information, and filing fee (payable to "NHES Fund") to:

Regulatory Review
Natural Heritage & Endangered Species Program
North Drive, Route 135
Westborough, MA 01581



Telephone: 508-389-6380, Fax: 508-389-7891

Questions or Comments? natural.heritage@state.ma.us



Bog Turtle - E

* For an electronic copy of this form, visit www.nhesp.org *

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

WESTBOROUGH MA 01581

POSTAL USE

| | |
|---|---------|
| Postage | \$ 5.05 |
| Certified Fee | \$ 2.65 |
| Return Receipt Fee
(Endorsement Required) | \$ 2.15 |
| Restricted Delivery Fee
(Endorsement Required) | \$ 0.00 |
| Total Postage & Fees | \$ 9.85 |

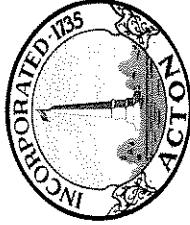
08/21/2007

WESTBOROUGH MA 01581
Postmark
08/21/07

Sent To Natural Heritage & Endangered Species Program
Street, Box or PO B _____
City, State Route 135, 1 North Drive
Westborough, MA 01581

PS Form 100-19619-6061

Town of Acton
 472 Main Street
 Acton, MA 01720
 Telephone (978) 264-9622
 Fax (978) 264-9630



Brian McMullen
 Assistant Assessor

Locus:
 Parcel ID:

960 MAIN ST
 B6-1

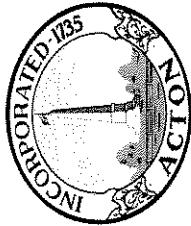
| Location | Parcel ID | Owner | Co-Owner | Mailing Address | City | ST | Zip |
|------------------------|-----------|-------------------------------|----------------------------------|----------------------|------------|----|-------|
| QUARRY RD END | B5-16 | KENNEDY JOHN T | C/O JOHN KENNEDY MARITAL TRUST | 90 ACTON RD | CHELMSFORD | MA | 01824 |
| 960 MAIN ST BEHIND | B5-17 | RMBDN LLC | JOHN T KENNEDY MARITAL TRUST | 90 ACTON RD | CHELMSFORD | MA | 01824 |
| 960-962 MAIN ST BEHIND | B5-17-1 | KENNEDY LIVESTOCK CORPORATION | | 1171 WESTFORD ST | CARLISLE | MA | 01741 |
| 976 MAIN ST BESIDE | B5-17-3 | KENNEDY JOHN T | C/O JOHN T KENNEDY MARITAL TRUST | 90 ACTON RD | CHELMSFORD | MA | 01824 |
| QUARRY RD REAR | B5-31 | KENNEDY JOHN T | C/O JOHN KENNEDY MARITAL TRUST | 90 ACTON RD | CHELMSFORD | MA | 01824 |
| 924 MAIN ST | B5-35 | NASHOBA SPORTSMANS CLUB | | P.O. BOX 2333 | ACTON | MA | 01720 |
| 924 MAIN ST | B5-35-1 | ACTON WATER DISTRICT | | BOX 953 | ACTON | MA | 01720 |
| 960 MAIN ST | B6-1-1 | ACTON WATER DISTRICT | | P O BOX 953 | ACTON | MA | 01720 |
| 9 LEDGE ROCK WY | C5-38 | NASHOBA SPORTSMANS CLUB, INC. | | PO BOX 2333 | ACTON | MA | 01720 |
| | | M B T A | DEPUTY DIRECTOR JOHN RAY | 45 HIGH ST 9TH FLOOR | BOSTON | MA | 02110 |

The owner of land sharing a common boundary or corner with the site of the proposed activity (100 feet) in any direction, including land located directly across a street, way, creek, river, stream, brook or canal.
 The above are as they appear on the most recent applicable taxes.

17-Jul-07

Kimberly Hoyt
 Assessing Clerk
 Acton Assessors Office

Town of Action
 472 Main Street
 Action, MA 01720
 Telephone (978) 264-9622
 Fax (978) 264-9630



Brian McMullen
 Assistant Assessor

Locus:
Parcel ID:

960 MAIN ST
 B6-1-1

| Location | Parcel ID | Owner | Co-Owner | Mailing Address | City | ST | Zip |
|--------------------|-----------|--------------------------------|----------------------------------|----------------------|------------|----|-------|
| 960 MAIN ST BEHIND | B5-17 | RMBDN LLC | JOHN T KENNEDY MARITAL TRUST | 90 ACTON RD | CHELMSFORD | MA | 01824 |
| 976 MAIN ST BESIDE | B5-17-3 | KENNEDY JOHN T | C/O JOHN T KENNEDY MARITAL TRUST | 90 ACTON RD | CHELMSFORD | MA | 01824 |
| 924 MAIN ST | B5-35 | NASHOBIA SPORTSMANS CLUB | | P.O. BOX 2333 | ACTON | MA | 01720 |
| 924 MAIN ST | B5-35-1 | ACTION WATER DISTRICT | | BOX 953 | ACTON | MA | 01720 |
| 928 MAIN ST REAR | B5-36 | KENNEDY JOHN T | C/O JOHN T KENNEDY MARITAL TRUST | 90 ACTON RD | CHELMSFORD | MA | 01824 |
| MAIN ST REAR | B5-41 | COMMONWEALTH OF MASS | | DEPT OF PUBLIC WORKS | BOSTON | MA | 02108 |
| 960 MAIN ST | B6-1 | ACTION WATER DISTRICT | | 472 MAIN ST | ACTON, | MA | 01720 |
| 976 MAIN ST | B6-22 | MCIVER CLEMENT L ET AL TRUSTEE | MACOT REALTY TRUST | PO BOX 810 | SUDSBURY | MA | 01776 |
| 954 MAIN ST | B6-11 | ACTION WATER DISTRICT | | 472 MAIN ST | ACTON, | MA | 01720 |
| 941 MAIN ST | B6-12-1 | ACTION WATER DISTRICT | | 472 MAIN STREET | ACTON | MA | 01720 |
| 942 MAIN ST | B6-13 | WATER SUPPLY DISTRICT OF ACTON | | P.O. BOX 953 | ACTON | MA | 01720 |

M B T A DEPUTY DIRECTOR JOHN RAY

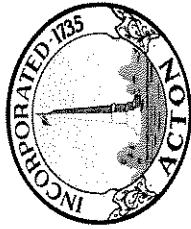
45 HIGH ST 9TH FLOOR BOSTON MA 02110

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 Action Assessors Office

17-Jul-07

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Brian McMullen
 Assistant Assessor

Locus:
Parcel ID:

941 MAIN ST
 B6-12-1

| Location | Parcel ID | Owner | Co-Owner | Mailing Address | City | ST | Zip |
|-----------------------|-----------|--------------------------------|-----------------|--------------------|----------|----|-------|
| 960 MAIN ST | B6-1-1 | ACTION WATER DISTRICT | | P O BOX 953 | ACTON | MA | 01720 |
| 962 MAIN ST | B6-2-3 | ACTION INDUSTRIAL DEV CO INC | | 9 POND LANE | CONCORD | MA | 01742 |
| 979 MAIN ST | B6-8 | BAKER ROY W ET UX TRUSTEES | | 4 WACHUSSETT DRIVE | ACTON | MA | 01720 |
| 48 CARLISLE RD | B6-9 | VALENTINE JOHN H JR | ELIZABETH H | 566 ACTON ST | CARLISLE | MA | 01741 |
| 954 MAIN ST | B6-11 | ACTION WATER DISTRICT | | 472 MAIN ST | ACTON, | MA | 01720 |
| 12 CARLISLE RD | B6-12 | AMBROSE WILLIAM W | DAVIS AMY L | 42 CARLISLE ROAD | ACTON | MA | 01720 |
| 36 CARLISLE RD | B6-12-2 | DEANGELO JAMES R | NANCY D | 36 CARLISLE RD | ACTON | MA | 01720 |
| 46 CARLISLE RD | B6-12-3 | NARAGHI SEPANDAD | NARAGHI MONIQUE | 46 CARLISLE RD | ACTON | MA | 01720 |
| 12 CARLISLE RD BEHIND | B6-12-4 | AMBROSE WILLIAM W | AMBROSE AMY L | 42 CARLISLE ROAD | ACTON | MA | 01720 |
| 942 MAIN ST | B6-13 | WATER SUPPLY DISTRICT OF ACTON | | P.O. BOX 953 | ACTON | MA | 01720 |

W B T A **DEPUTY DIRECTOR JOHN RAY** **45 HIGH ST 9TH FLOOR** **BOSTON** **MA** **02110**

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17-Jul-07

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 Acton Assessors Office